

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO. 05-10154-MLW
v.)	
)	
JOHN J. DIAMONT, JR.,)	
Defendant)	

GOVERNMENT'S MOTION TO FILE REPLY BRIEF ONE DAY LATE

Now comes the United States, by its attorney, and moves for permission to file its reply brief one day late and states:

1. The Government's reply brief was due on January 17, 2007.
2. The undersigned attorney became confused as to what day the brief was due and mistakenly thought it was due today. The undersigned realized his mistake when he received the defendant's reply brief today. The undersigned has not read the defendant's reply brief prior to filing the government's proposed reply brief.
3. The undersigned has attempted to confer with defendant's counsel by e-mail but has been unable to reach them.

WHEREFORE, the United States requests permission to file its reply brief one day late.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:

/s/ Peter A. Mullin
PETER A. MULLIN
Assistant U.S. Attorney

Dated: January 18, 2007

CERTIFICATE OF SERVICE

I, Peter A. Mullin, Assistant U.S. Attorney, hereby certify that a true copy of this document was served on counsel of record for the defendant via electronic filing this 18th day of January, 2007.

/s/ Peter A. Mullin

PETER A. MULLIN

Assistant U.S. Attorney